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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,110	07/23/2003	Vladan Mijailovic	AD#-155	8967
23658	7590	12/13/2006	EXAMINER	
RICHARD K THOMSON, ATTORNEY 7691 FAIRLANE DRIVE FAIRVIEW, PA 16415			STERLING, AMY JO	
			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/626,110

Applicant(s)

MIJAILOVIC, VLADAN

Examiner

Amy J. Sterling

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 9-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is the **Final Office Action** for application number 10/626,110 Steadying Support Platform, filed on 7/23/04. Claims 1-21 are pending. Claims 9-21 are withdrawn. This **Final Office Action** is in response to applicant's reply dated 10/30/06. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Applicant's amendment necessitated any new ground(s) of rejection presented in this Office action.

### ***Election/Restrictions***

Applicant is reminded that claims 9-21 are withdrawn and should appear as (withdrawn) in the claims. Any traversal to the final election of species found in Non-final action dated 7/27/06 is petitional matter and not proper for appeal.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification does not specifically address as to what is meant by "at all times" in such a way that one of ordinary skill may make or use the invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites, "at all times" and it is unclear what is meant by "times" and it is unclear how a "timing" pertains to the structure of the device.

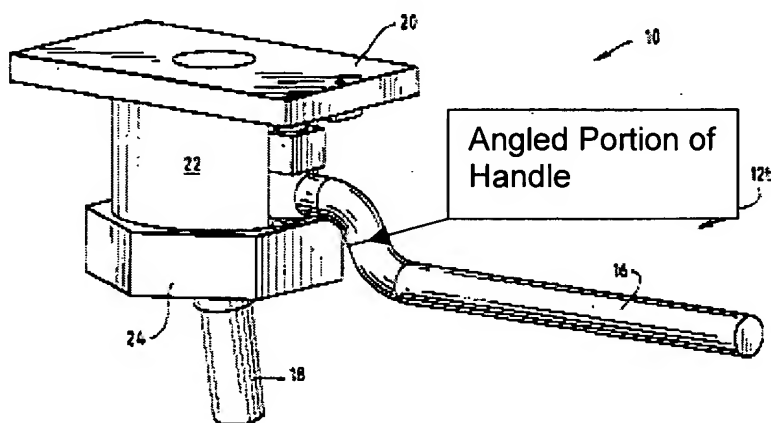
### ***Claim Rejections - 35 USC § 103***

Claims 1-4, 6-8 are rejected under 35 U.S.C. 103(a) 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6119995 to Reese et al. and in view of United States Patent No. 6729778 to Wu et al.

The patent to Reese et al. discloses a camera steady device (10) having a support platform (20) and a support shaft (16a, 18) connected to the bottom surface of the platform, having a first upper portion (16), and a separate second lower portion (18), the first and second shafts being positionable within 60 degrees relative to each other and a locking mechanism (24) to lock them in place, a sphere (30) affixed to the upper portion of the support shaft (16a, 18) a socket with a handle (32a, 32b, 16) which has a

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straight portion and an fifteen degree angled portion (See Drawing Below), the socket which is permitted to freely pivot about the sphere, a range of plus or minus 60 degrees about a roll and pitch axis and plus or minus 360 degrees about a yaw axis by being, the socket which has a first upper plate (32b) with a first downwardly directed truncated spherical recess and a second lower plate (32a) with a second upwardly directed truncated spherical recess, the recesses which pivotally captures the sphere (30).



Reese does teach a counterbalanced socket plate member connected to a bottom portion of the support shaft and a means attachable to socket plate to by which the support platform is suspended or a and means (48) for attaching a video camera.

Wu et al. shows a camera steady device for a video camera (60) and a means for attaching (341) the camera, which has a sphere attached to a support shaft (20) which has a counterbalancing socket plate member (12) connected to a bottom portion of the support shaft (20) and a means (13) attachable to socket plate to by which the support platform is suspended, used to firmly hold the video camera to the device and to suspend the device from a support surface. Therefore, it would have been obvious to

one having ordinary skill in the art at the time the invention was made from the teachings of Wu et al. to have added these things to the device of Reese et al. in order to firmly attach the camera to the device and to suspend the device from a support surface.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6513774 6119995 to Reese et al. and in view of United States Patent No. 6729778 to Wu et al. as applied to claims 1 and 4 above, and in view of United States Patent No. 4953852 to Donahue.

Reese et al. and Wu et al. disclose applicant's basic inventive concept, all the elements which are shown above with the exception that it does not show that the sphere is made of Teflon.

Donahue shows a joint having a sphere (62) that is made of Teflon, used for its low frictional properties (See Col. 6, lines 20-24 for material selection). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teachings of Donahue to have made the sphere of Teflon in order to have a low friction joint.

### ***Response to Arguments***

The applicant has argued that the combination of Reese et al. and Wu do not show that the device can be freely pivoting...at all times. This is unpersuasive in that it is unclear how a "time" or "timing" can be related to the structure of the device.

**Conclusion**

**THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action. Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 571-272-6823. The fax machine number for the Technology center is 571-273-8300 (formal amendments) or 571-273-6823 (informal communications only). Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 571-272-3600.



Amy J. Sterling  
Primary Examiner  
12/6/06